

MAY 09 2008**WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP***Intellectual Property Law*
Patents • Trademarks • CopyrightsTen Post Office Square
Boston, Massachusetts 02109
Tel. 617.542.2290 • Fax. 617. 451.0313
www.wsgllp.com**FACSIMILE COVER SHEET**

DATE: May 9, 2008

TO: Examiner Leah H. Schlientz
TC Art Unit: 1618

Fax No.: (571) 273 8300

FROM: Charles L. Gagnebin III

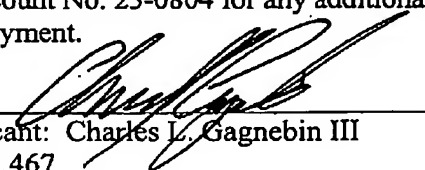
No. of pages transmitted
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Sent by: Marilyn

Application No. 10/762,964
Filed Date: January 22, 2004
Confirmation No.: 6339A confirmation copy of this transmission will not be mailed unless the following is checked: ☐
MESSAGEPLEASE DELIVER DIRECTLY TO:
EXAMINER LEAH H. SCHLIENTZ, Tel. (571) 272-9928
TC ART UNIT NO: 1618**FOR ENTRY**Enclosed for filing please find: Response (with attached Appendix) and One-month
Request for Extension of Time.The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional
filing fees associated with this communication or credit any overpayment.
Attorney for Applicant: Charles L. Gagnebin III
Registration No. 25,467

CLG/mrb/366730.1

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MAY 09 2008

Application No.: 10/762,964
 Filed: January 22, 2004
 TC Art Unit: 1618
 Confirmation No.: 6339

Rev 09/07

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP

Ten Post Office Square
 Boston, Massachusetts 02109
 Telephone: (617) 542-2290
 Telecopier: (617) 451-0313

Date: May 9, 2008

Via Facsimile

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Attorney

Docket No.: SW-045AX

Sir:

In re application of: Kevin Tait

Entitled: STOOL MARKER

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$) per §1.17(e).
☐ Enter the unentered amendment previously filed on per §1.116.
- ☒ Small Entity Status is asserted.
- ☒ A Petition for Extension of Time for 1 month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$60.00) per §1.17.
- ☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☒ Other: Appendix

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	1 - 3	=	x \$210.00 =	0
Total	19 - 19	=	x \$ 50.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$370.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

- ☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$) for the cost of same.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Leah H. Schlientz, TC Art Unit 1618, Fax No. (571) 273 8300, on May 9, 2008.


 Attorney of Record: Charles L. Gagnebin III
 Registration No.: 25,467

CLG/mrb/366729.1

MAY 09 2008


Rev 04/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Kevin Tait
Application No. : 10/762,964
Filed : January 22, 2004
Confirmation No. : 6339
For : STOOL MARKER
Examiner : Leah H. Schlientz
Attorney's Docket : SW-045AX

TC Art Unit: 1618

I hereby certify that this correspondence is being sent via
facsimile to Examiner Leah H. Schlientz, TC Art Unit 1618, Fax No.
(571) 273 8300, on May 9, 2008.

By: 
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant

RESPONSE

Via Facsimile
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In further response to the Office Action dated January 11,
2008, please consider the following remarks.

WEINGARTEN, SCHURGIN,
GAGNEBIN & LESOVICI LLP
TEL. (617) 542-2290
FAX. (617) 451-0313